

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

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SYMBIONT SCIENCE ENGINEERING AND  
CONSTRUCTION, INC.; ZURICH COMPANY  
a/s/o Symbiont Science, Engineering and Construction, Inc.;  
AMERICAN GUARANTY AND LIABILITY  
INSURANCE COMPANY a/s/o Symbiont Science  
Engineering and Construction, Inc.; and STEADFAST  
INSURANCE COMPANY a/s/o Symbiont  
Science Engineering and Construction, Inc.,

Case No.:  
3:22-cv-04905-MAS-LHG

Return Date:  
February 6, 2023

Plaintiffs,  
vs.

ORAL ARGUMENT  
REQUESTED

GROUND IMPROVEMENT SERVICES, INC.;  
JOHN DOES 1-10, (fictitious parties) and ABC C  
OMPANIES 1-10 (fictitious parties); GEO-  
STRUCTURES OF VIRGINIA, INC., Defendants,  
GROUND IMPROVEMENT SERVICES, INC.  
and GEOSTRUCTURES OF VIRGINIA, INC.,

Third-Party Plaintiffs,  
vs.

GEOPIER FOUNDATION COMPANY, Inc. and  
GZA GEOENVIRONMENTAL, INC.

Third-Party Defendants.

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**NOTICE OF MOTION TO DISMISS ON BEHALF OF THIRD-PARTY DEFENDANT**

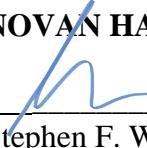
**PLEASE TAKE NOTICE**, that on Tuesday February 21, 2023, or as soon thereafter as  
counsel may be heard, the undersigned attorneys for Third-Party Defendant GZA  
GEOENVIRONMENTAL, INC. shall move this Court for an order, pursuant to FRCP 12(b)(6),  
dismissing the Third-Party Complaint and Plaintiffs' Rule 14(a)(3) Complaint against movant.

Said Third-Party Defendant shall rely upon the attached affirmation and exhibits, which includes a proposed Order, and the accompanying Memorandum of Law.

Dated: New York, New York  
January 20, 2023

**DONOVAN HATEM LLP**

By: \_\_\_\_\_

  
Stephen F. Willig  
*Attorneys for Third-Party Defendant*  
*GZA GeoEnvironmental, Inc.*  
112 West 34th Street, 18th Floor  
New York, New York 10120  
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To:

All Counsel via electronic filing

4865-7336-5575, v. 1